

STATE OF HAWAII  
STATE PROCUREMENT OFFICE  
HONOLULU, HAWAII

Legal Ad Date: May 15, 1997

INVITATION FOR BIDS

NO. IFB-97-198-SW

SEALED BIDS

FOR

PUBLICATION OF LEGAL, CLASSIFIED AND DISPLAY ADS  
STATEWIDE

will be received up to and opened at 2:00 p.m.

on

June 3, 1997

in the State Procurement Office, Kalanimoku Building, 1151 Punchbowl  
Street, Room 416, Honolulu, Hawaii 96813.

Questions relating to this bid solicitation may be directed to Ms.  
Fran Villarmia, telephone (808) 586-0563; fax (808) 586-0570.

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ROBERT J. GOVERNS, CPPB  
Procurement Officer

IFB-97-198-SW

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Name of Company

PUBLICATION OF LEGAL, CLASSIFIED AND DISPLAY ADS  
STATEWIDE  
IFB-97-198-SW

Procurement Officer  
State Procurement Office  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Sir:

The undersigned has carefully read and understands the terms and conditions specified in the Specifications and Special Provisions attached hereto, and in the General Terms and Conditions dated September 1, 1995 by reference made a part hereof and available upon request; and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof.

The undersigned further understands and agrees that by submitting this offer, 1) he/she is declaring his/her offer is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts, and 2) he/she is certifying that the price(s) submitted was (were) independently arrived at without collusion.

Date: \_\_\_\_\_

Respectfully submitted,

Telephone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

\_\_\_\_\_  
Exact Legal Name of Offeror

Payment address, if other than  
street address at right:

\_\_\_\_\_  
Authorized Signature (Original)

\_\_\_\_\_

\_\_\_\_\_  
Title

Hawaii General Excise Tax Lic.  
I.D. No.: \_\_\_\_\_

\_\_\_\_\_  
Street Address

Social Sec. or Federal I.D. No.: \_\_\_\_\_

\_\_\_\_\_  
City, State, Zip Code

If offeror shown above is a "dba" or a "division" of a corporation, furnish the exact legal name of the corporation under which the contract, if awarded, will be executed:

\_\_\_\_\_

Offeror is: \_\_\_ Individual \_\_\_ Partnership \_\_\_ Corporation \_\_\_ Joint Venture

State of incorporation: Hawaii \_\_\_\_\_ \*Other \_\_\_\_\_

\*If "other", is corporate seal available in Hawaii? \_\_\_ Yes \_\_\_ No

The following bid is hereby submitted:

**CITY AND COUNTY OF HONOLULU**

- A. Name of paper: \_\_\_\_\_  
B. Publication: morning/evening (circle one)  
C. Target Group: \_\_\_\_\_ Businesses \_\_\_\_\_ Residential  
\_\_\_\_\_ Other: \_\_\_\_\_

D. Circulation (copies): \_\_\_\_\_

	<u>MONDAY THRU SATURDAY</u>	<u>SUNDAY</u>
	<u>Bid Price</u>	<u>Bid Price</u>
	<u>Per Inch</u>	<u>Per Inch</u>

GROUP I - LEGAL ADVERTISING

Single or multi column width ad

Single column: 7.4 picas

Double column: 15.2 picas

TYPE SIZE:

Heading line & subject

description - Per Agency request

Copy Body - 6, 8, 9 or 10 point

medium face - Per Agency Request

Schedules - Per agency request

- |                                 |          |          |
|---------------------------------|----------|----------|
| 1. One insertion per ad order   | \$ _____ | \$ _____ |
| 2. Two insertions per ad order  | \$ _____ | \$ _____ |
| 3. Three insertion per ad order | \$ _____ | \$ _____ |
| 4. Four insertions per ad order | \$ _____ | \$ _____ |

GROUP II - CLASSIFIED ADVERTISING

Single column: 7.4 picas

Double column: 15.2 picas

Copy body type sizes - Per agency request

5. Straight Classified:

1 or more insertions per ad order \$ \_\_\_\_\_

6. Classified Display (with  
pictures, logos, borders  
or bold type):

1 or more insertions per ad order \$ \_\_\_\_\_

GROUP III - DISPLAY ADVERTISING

Double column: 25.7 picas

Copy body and type sizes -

Per agency request and shall not  
include color, photographs or  
tabloid publications.

- |                                      |          |          |
|--------------------------------------|----------|----------|
| 7. 1 or more insertions per ad order | \$ _____ | \$ _____ |
|--------------------------------------|----------|----------|

THE FOLLOWING CHARGE WILL NOT BE USED IN EVALUATING LOW OFFEROR:

FLAT CHARGE PER FAXED SUBMITTAL ORDER: \$ \_\_\_\_\_

Offeror \_\_\_\_\_

COUNTY OF HAWAII - HILO

- A. Name of paper: \_\_\_\_\_  
B. Publication: morning/evening (circle one)  
C. Target Group: \_\_\_\_\_ Businesses \_\_\_\_\_ Residential  
\_\_\_\_\_ Other: \_\_\_\_\_

D. Circulation (copies): \_\_\_\_\_

	<u>MONDAY THRU FRIDAY</u>	<u>SATURDAY</u>	<u>SUNDAY</u>
	<u>Bid Price</u>	<u>Bid Price</u>	<u>Bid Price</u>
	<u>Per Inch</u>	<u>Per Inch</u>	<u>Per Inch</u>

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| 1. One insertion per ad order   | \$ _____ | \$ _____ | \$ _____ |
| 2. Two insertions per ad order  | \$ _____ | \$ _____ | \$ _____ |
| 3. Three insertion per ad order | \$ _____ | \$ _____ | \$ _____ |
| 4. Four insertions per ad order | \$ _____ | \$ _____ | \$ _____ |

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Double column: 15.2 picas

Copy body type sizes - Per agency request

- |   |          |          |          |
|---|----------|----------|----------|
| 5. Straight Classified:<br>1+ insertions per ad order   | \$ _____ | \$ _____ | \$ _____ |
| 6. Classified Display (with<br>pictures, logos, borders<br>or bold type):<br>1+ insertions per ad order | \$ _____ | \$ _____ | \$ _____ |

GROUP III - DISPLAY ADVERTISING

Double column: 25.7 picas

Copy body and type sizes -

Per agency request and shall not  
include color, photographs or  
tabloid publications.

- |                               |          |          |          |
|-------------------------------|----------|----------|----------|
| 7. 1+ insertions per ad order | \$ _____ | \$ _____ | \$ _____ |
|-------------------------------|----------|----------|----------|

THE FOLLOWING CHARGE WILL NOT BE USED IN EVALUATING LOW OFFEROR:

FLAT CHARGE PER FAXED SUBMITTAL ORDER: \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Offeror \_\_\_\_\_

COUNTY OF HAWAII - KONA

- A. Name of paper: \_\_\_\_\_  
B. Publication: morning/evening (circle one)  
C. Target Group: \_\_\_\_\_ Businesses \_\_\_\_\_ Residential  
\_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_

D. Circulation (copies): \_\_\_\_\_

	<u>MONDAY THRU FRIDAY</u>	<u>SATURDAY</u>	<u>SUNDAY</u>
	<u>Bid Price</u>	<u>Bid Price</u>	<u>Bid Price</u>
	<u>Per Inch</u>	<u>Per Inch</u>	<u>Per Inch</u>

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|---------------------------------|----------|----------|----------|
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- |                               |          |          |          |
|-------------------------------|----------|----------|----------|
| 7. 1+ insertions per ad order | \$ _____ | \$ _____ | \$ _____ |
|-------------------------------|----------|----------|----------|

THE FOLLOWING CHARGE WILL NOT BE USED IN EVALUATING LOW OFFEROR:

FLAT CHARGE PER FAXED SUBMITTAL ORDER: \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Offeror \_\_\_\_\_

COUNTY OF MAUI

- A. Name of paper: \_\_\_\_\_  
B. Publication: morning/evening (circle one)  
C. Target Group: \_\_\_\_\_ Businesses \_\_\_\_\_ Residential  
\_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_

D. Circulation (copies): \_\_\_\_\_

	<u>MONDAY THRU FRIDAY</u>	<u>SATURDAY</u>	<u>SUNDAY</u>
	<u>Bid Price</u>	<u>Bid Price</u>	<u>Bid Price</u>
	<u>Per Inch</u>	<u>Per Inch</u>	<u>Per Inch</u>

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Schedules - Per agency request

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- |                               |          |          |          |
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| 7. 1+ insertions per ad order | \$ _____ | \$ _____ | \$ _____ |
|-------------------------------|----------|----------|----------|

THE FOLLOWING CHARGE WILL NOT BE USED IN EVALUATING LOW OFFEROR:

FLAT CHARGE PER FAXED SUBMITTAL ORDER: \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Offeror \_\_\_\_\_

COUNTY OF KAUAI

- A. Name of paper: \_\_\_\_\_  
B. Publication: morning/evening (circle one)  
C. Target Group: \_\_\_\_\_ Businesses \_\_\_\_\_ Residential  
\_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_

D. Circulation (copies): \_\_\_\_\_

	<u>MONDAY THRU FRIDAY</u>	<u>SATURDAY</u>	<u>SUNDAY</u>
	<u>Bid Price</u>	<u>Bid Price</u>	<u>Bid Price</u>
	<u>Per Inch</u>	<u>Per Inch</u>	<u>Per Inch</u>

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|-------------------------------|----------|----------|----------|

THE FOLLOWING CHARGE WILL NOT BE USED IN EVALUATING LOW OFFEROR:

FLAT CHARGE PER FAXED SUBMITTAL ORDER: \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Offeror \_\_\_\_\_

**ALL COUNTIES ON HAWAII, MAUI AND KAUAI**

- A. Name of paper(s) on: Hawaii: \_\_\_\_\_  
Maui: \_\_\_\_\_  
Kauai: \_\_\_\_\_
- B. Publication: morning/evening (circle one)
- C. Circulation - copies on: \_\_\_\_\_ Hawaii \_\_\_\_\_ Maui \_\_\_\_\_ Kauai
- D. Target Group: \_\_\_\_\_ Businesses \_\_\_\_\_ Residential  
\_\_\_\_\_ Other: \_\_\_\_\_

	<u>MONDAY THRU FRIDAY</u>	<u>SATURDAY</u>	<u>SUNDAY</u>
	<u>Bid Price</u>	<u>Bid Price</u>	<u>Bid Price</u>
	<u>Per Inch</u>	<u>Per Inch</u>	<u>Per Inch</u>

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Schedules - Per agency request

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|-------------------------------|----------|----------|----------|

THE FOLLOWING CHARGE WILL NOT BE USED IN EVALUATING LOW OFFEROR:

FLAT CHARGE PER FAXED SUBMITTAL ORDER: \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Offeror \_\_\_\_\_



Bidder shall specify the deadlines (in minimum number of working days) by which the information to be published must be submitted:

	Minimum No. of <u>Working Days</u>
1. <u>Legal Ads:</u>	
20" or less - No proofs required	_____
More than 20" - No proofs required	_____
One or more page ads and for those ads requiring proofs	_____
_____	_____
_____	_____
2. <u>Classified Ads:</u>	
_____	_____
_____	_____
3. <u>Display Ads:</u>	
_____	_____
_____	_____

Bidder shall specify the fees for original affidavits of any legal, classified or display publication:

<u>No. of Original Affidavits</u>	<u>Charge</u>
1	\$_____
2 or more	\$_____

Offeror\_\_\_\_\_

## SPECIAL PROVISIONS

### SCOPE

Work included in this contract shall consist of Publication of Legal, Classified and Display Ads as ordered by the various agencies statewide, shall be in accordance with these Special Provisions, the attached Specifications, and the General Terms and Conditions dated September 1, 1995, included by reference. Copies of the General Terms and Conditions are available at the State Procurement Office, Room 416, 1151 Punchbowl Street, Honolulu, Hawaii 96813 and the DAGS District Offices on the Islands of Hawaii, Maui and Kauai.

### STATE'S COMMITMENT

In return for prices submitted, State agencies of the Executive Branches statewide will purchase all of their ad publication requirements listed herein from the successful low bidder(s). In addition, the Judiciary, the Department of Education, the Hawaii State Public Library System, University of Hawaii, and the Director of Finance, County of Hawaii, have committed their agencies to also purchase from the successful low bidder(s). It is provided however, that when legal or classified ads provided under this contract are not suited for an agency's purpose, an exception to this commitment may be granted to such agency by the Chief Procurement Officer of the State Procurement Office.

### TERM OF CONTRACT

Contract shall be for the one-year period beginning July 1, 1997 and ending June 30, 1998 and may be extended by mutual agreement for an additional period not to exceed three (3) months.

### BIDDER QUALIFICATION

Bidder's newspaper shall be published and distributed on a daily or weekly basis with a minimum average paid circulation for each day bid in each county as follows:

Honolulu:	70,000 copies or more
Hawaii-Hilo:	15,000 copies or more
Hawaii-Kona:	10,000 copies or more
Maui:	15,000 copies or more
Kauai:	7,000 copies or more

Bidder shall enclose, with his bid, proof of number of paid circulation from an independent source (i.e. audit report).

### BID PREPARATION

Offer Form, Page OF-1. Offeror is requested to submit its offer using offeror's exact legal name as registered with the Department of Commerce and Consumer Affairs, if applicable; and to indicate exact legal name in the appropriate space on Offer Form, page OF-1. Failure to do so may delay proper execution of the contract.

Offeror's authorized signature shall be an original signature in ink. If Offer Form, page OF-1, is unsigned or the affixed signature is a facsimile or a photocopy, the offer shall be automatically rejected unless accompanied by other material, containing an original signature indicating the offeror's intent to be bound.

Original Bid and Copy to be Submitted. Bidder shall **submit one (1) original bid marked "Original" and a copy of the original marked "Duplicate".** It is imperative to note that the bidder must submit only one original and a copy. DO NOT SUBMIT TWO ORIGINALS.

Offeror is encouraged to submit typewritten offers. If handwritten, it should be clearly printed. Offeror is cautioned that illegible bids of any item(s) may be automatically rejected to avoid any errors in interpretation by the reviewers during the bid evaluation process. Bidders shall not be given an opportunity to clarify questionable prices, model numbers, etc.

Tax Clearance. An **original or certified copy** of a tax clearance issued by the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Services (IRS) must be submitted with your sealed offer by the due date and time. The tax clearance shall be obtained on the attached two-part **Tax Clearance Application (Form A-6)** that combines DOTAX and IRS tax clearances.

The application may be mailed in or walked in to either the DOTAX or the IRS. The addresses for DOTAX and IRS district offices are listed on Form A-6. There is limited walk-in services at IRS Maui and Hawaii offices, and none on Kauai.

The DOTAX and IRS encourage the use of their mail-in service, in lieu of walk-in service. We recommend that you mail it to DOTAX where it will be processed and forwarded to the IRS. The process should be completed within twenty-one (21) calendar days. Use of the walk-in services may result in waiting in line at both agencies.

For your information, the tax clearance is valid for forty-five (45) days. If the DOTAX approves a tax clearance certificate on one date and the IRS approves it on another date, the 45-day period will begin with the later date. For example:

DOTAX approval stamp date: 7/1/96  
IRS approval stamp date: 7/5/96  
Tax Clearance valid: 7/5/96 to 8/18/96

The tax clearance submitted with your sealed offer must be valid on the solicitation legal ad date or any date thereafter up to the offer due date. A valid tax clearance received with your offer will remain valid for the contract award.

Since this a new process, however, and a mail-in application is encouraged, we will accept for the purpose of this solicitation a completed SPO Form Temp B, "Certification for Tax Clearance" in place of the DOTAX Form A-6, if you are unable to obtain a tax clearance by mail in time to include it with your sealed offer. See attached pink NOTICE for the SPO Form TEMP B.

NOTE: The above tax clearance requirement is in addition to the existing requirement for final payment. Refer to the special provisions on INVOICING below for information on the tax clearance requirement for final payment.

Taxable Transaction. Work to be done under this contract is a taxable transaction and bidder receiving award will be required to pay State of Hawaii General Excise tax, currently 4%.

Bid Quotation. Bid prices quoted shall be the price per inch for a single column and shall include all other costs except the Hawaii General Excise Tax, currently 4%. The amount of the General Excise tax may be added to the invoice as a separate line item and shall not exceed the current rate.

#### METHOD OF AWARD

Award, if any, shall be made to the responsive, responsible bidder(s) submitting the lowest bid price per inch. The State reserves the option of awarding by different target groups.

Award will be in the form of a requirements contract. Prices quoted will be effective for the duration of the contract, and using agencies will submit ad order(s) as required during the life of the contract.

#### CONTRACT EXECUTION

Formal written contract(s) and performance and payment bonds (Section 3.3 and 3.4 of the General Terms and Conditions) will not be required for award(s) made in response to this bid solicitation. successful bidder shall receive a notice of award by letter to which will be of attached a State Procurement Office Price List showing the item(s) which the respective successful bidder has been awarded. This method of award does not waive compliance with specifications, special provisions, general terms and conditions of the bid.

#### ACCEPTANCE OF OFFER

Acceptance of offer, if any, will be made within sixty calendar days after the opening of offers, and the prices quoted by the offeror shall remain firm for the sixty day period as provided in Section 3.2 of the General Terms and Conditions.

#### DESCRIPTION OF SERVICE

Each State agency requiring legal, display, and/or classified ad publication shall submit their ad order(s) by computer diskette to the Contractor within the minimum number of working days specified by the bidder on Offer Form page OF-7. Submission by fax may be allowed but an additional cost may be charged to the agency.

When proofs are required by a State agency, Contractor shall first proofread and make necessary corrections, then submit two (2) sets of the proof(s) to the requesting agency for final review and approval. Upon approval by the requesting agency, Contractor shall publish the ad(s) in its newspapers as follows:

1. Legal Ad: On the page(s) immediately preceding the classified ad section, if possible.
2. Classified Ad: In the classified ad section
3. Display Ad: In the run of the paper display section.

Contractor shall publish ads in accordance with the publication date(s) submitted on the order; provided however, that in the event of publication withdrawal by the State of any ad requiring more than one insertion, the Contractor shall only be compensated for the actual number of insertions of such ad published at the price bid.

## ORDERING, INVOICING AND PAYMENT

Purchase orders for publication of ads will be submitted to the Contractor by various State agencies as needed.

Affidavit(s) of publications and invoices, original and three copies, shall be submitted directly to the ordering agency. Payments shall be based on the unit price(s) bid plus the General Excise Tax not to exceed 4%.

Section 103-10, Hawaii Revised Statutes (HRS), provides that the State shall have thirty (30) calendar days after receipt of invoice or satisfactory performance of the services to make payment. For this reason, the State will reject any bid submitted with a condition requiring payment within a shorter period. Further, the State will reject any bid submitted with a condition requiring interest payments greater than that allowed by Section 103-10, HRS, as amended.

The State will not recognize any requirement established by the Contractor and communicated to the State after award of the contract, which requires payment within a shorter period or interest payment not in conformance with statute.

## RIGHTS AND REMEDIES FOR DEFAULT

It is understood and agreed by the Contractor that time shall be the essence of the contract. Therefore, upon failure or refusal of the Contractor to perform the services ordered within the specified time, the State may purchase such services in any other newspaper to satisfy its needs and to deduct from any moneys due or that may thereafter become due the Contractor the difference between the price named in the contract or purchase order and the actual cost thereof to the State. In case any money due the Contractor is insufficient for said purpose, the Contractor shall pay the difference upon demand by the State. The State may also utilize all other remedies provided by law.

## ADDITIONS AND EXCEPTIONS TO THE GENERAL TERMS AND CONDITIONS

Approvals. Any agreement arising out of this offer is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulations, rule, order, or other directive.

Cancellation of Solicitations and Rejection of Offers. The solicitation may be canceled or the offers may be rejected, in whole or in part, when in the best interest of the purchasing agency, as provided in Sections 3-122-95 through 3-122-97, Hawaii Administrative Rules.

General Terms and Conditions Not Applicable. Sections 2.11 and 2.14 of the General Terms and Conditions which apply specifically to the Request for Proposals method of source selection are not applicable to Invitation for Bids. Also Sections 2.10 and 2.13 which apply specifically to the Invitation for Bids method of source selection are no applicable to Requests for Proposals.

Records Retention. The Contractor and any subcontractors shall maintain the books and records that relate to the Agreement and any cost or pricing data for three (3) years from the date of final payment under the Agreement.